

This document has been electronically entered in the records of the United States Bankruptcy Court for the Southern District of Ohio.

IT IS SO ORDERED.

Dated: January 26, 2023



  
Guy R. Humphrey  
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

*In re:*

ZACHARY O. TOMLINSON,

*Debtor.*

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Case No. 22-31632  
Chapter 13  
Judge Humphrey

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ORDER CONCERNING PAPER RECEIVED ON JANUARY 24, 2023 (DOC. 17)  
AND ORDERING OTHER MATTERS

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On January 24, 2023 the court received a two-page paper regarding the Chapter 13 Trustee's *Objection to Allowance of Claim (Court Claim 2, Trustee Claim(s) 3 and 4)* (doc. 11) which the Clerk subsequently filed and assigned document number 17. This paper bears a signature above the typed name Linda Merker, Income Tax Administrator, City of Oakwood.

This paper is presented on behalf of the City of Oakwood, a municipal corporation, **which, except as permitted by Federal Rule of Bankruptcy Procedure 9010(a), is only authorized to appear on matters in this court through counsel admitted to practice in this court. See Local Bankruptcy Rule 9011-2(b).** From the court's review of the paper and the City of Oakwood's Proof of Claim 2-1, it does not appear that Ms. Merker is an attorney.

Based on the foregoing, the court determines that this paper assigned document number 17 does not constitute an appropriate response to the Trustee's *Objection to Allowance of Claim (Court Claim 2, Trustee Claim(s) 3 and 4)* (doc. 11) and any relief sought therein is **denied, without prejudice**. The City of Oakwood may, however, file through its counsel an appropriate response to the *Objection to Allowance of Claim (Court Claim 2, Trustee Claim(s) 3 and 4)* (doc. 11) **not later than February 27, 2023.**

**To the extent that the parties resolve the issues regarding the City's Claim, the court will accept an agreed order signed by the Trustee and Ms. Merkel, as a representative of the City of Oakwood.**

If the parties involved in this issue are unable to otherwise resolve the concerns raised by this paper, and those concerns are properly brought before the court, pursuant to the applicable provisions of the Bankruptcy Code and Rules, this court may be required to issue a decision and, accordingly, expresses no opinion concerning the contents of this paper.

**Finally, to the extent that the City Oakwood's Proof of Claim 2-1 fails to properly reflect the current status of the City's Claim, the Claim should be amended at the earliest possible time.**

**IT IS SO ORDERED.**

Copies to:

Default List

Linda Merker, Income Tax Administrator, City of Oakwood, 30 Park Avenue, Oakwood, Ohio 45419

Courtesy Copy to:

City of Oakwood, Attn: Robert F. Jacques, Law Department, 30 Park Avenue, Oakwood, Ohio 45419